WASHINGTON, D. C., TUESDAY MORNING, OCTOBER 16, 1877.

FIFTY CENTS PER MONTH.

BELFORD, OF COLORADO. HIS PRIMA PACIE RIGHT TO THE

of Senator Edmunds, of Vern the Merits and Law of the Case.

Upon the Merita and Law of the Case. The following letter of Senator Edmunds fill be read with deep interest at this time:

UNITED STATES ENDATE CHAMBER.)

WARKINGTON, D. C., April 20, 1877.

Hon. James B. Belford, Critical City, Col.:

BEAR SIX: Yours of the 11th instant, inclosing our printed statement touching the question of he election of member of Congress for Colorado to the Forty-fifth Congress, was received. I have acredily considered the subject and give you, as equested, my views thereon.

By the second section of the first article of the Constitution of the United States it is provided that the House of Representatives shall be composed of members chosen every second year by the pecies of the several States."

**And by the ame section it is further provided that when we have a me section it is further provided that when we

of the several Bates," - * And by the section it is further provided that "when value happen in the representation from any the Executive authority thereof shall issue as of election to fill such vacancy." By the the section, same article, it is provided that times, places and manner of helding elections Senators and Representatives shall be preceded in each State by the Legislature thereof, Congress may at any time by law make or after a regulation, exvects as the places of choose.

THE PROVISIONS OF THE CONSTITUTION

Wing upon the question. Sections twenty-five of twenty-six of the Revised Statutus previde five, the Tuesday after the first Monday in Novem-ras the general day for electing members of narses; and second, that a vacancy may be filled the representation of any State at the time that whe prescribed by the State itself. The act of incl. 1875, authorizing the admission of Colo-to, passed subsequently to the Revised Statutes, the speech provision for the complete imagenative of the provision for the control of the state incl. 1875, and fifth sections of that act it was, innoselile that constitution could be adopted before July, 1876, d by the same provisions, including those of thou six, no Legislaure could be elected to make es until after the constitution had been adopted, nyress never having undertaken to regulate the one or manuer of electing Representatives, it can be one in the constitution of the state of the constitution had been adopted by the state of the state of

THE MOMENT THE STATE DEVAME ADMITTED on the proclamation of the President, it became entitled to elect a Representative for the vacaney created by the very act of admission, in the theo existing Congress, and that right was already within the spirit of the twenty-sixth section of the Revised Statutes, and the sixth section of the Act of admission would hardly have been necessary in the aid of the exercise of that function by the fine. But there is very little room to question that he act admitting the State provides in spirit, as seel as literally, that the constitutional convention may fix the time for the resular and ordinary decition of members of Congress. And certainly in the slid of the exercise of an inherent constitutional right to representation, a construction over large the state should have made the theorems profision for holding elections on the general day prescribed for such purposes. The act of admission hen, being broad enough to suthorise the election of the Fixed State Shate Shate should have made the the exceeding the invention of Colorado exercised the authority to the other for the election of a member of Congress with the full term.

"ONE REPRESENTATIVE IN THE CONGRESS,"
mentioned in section 44 is not the one individual
merely who may be elected; but it is the official
merely who may be clerted; but it is the official
constitution of the United States which tunder the
Constitution of the United States which tunder the
tion of the set of admission, she is t) be continuously entitled until the next general course, and,
indeed, until her pepulation shall entitle her to
more than one. And when in this connection we
find by section 7 of article 7 that, pursuant to the
find by section 7 of article 7 that, pursuant of the
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Nilhous representative.

IN SUCH A STATE OF THINOS,

1.5 iniversal canons of construction and interpretation would lead us to solve every doubt in favor of the waibility of an election held on the first Tuesday of the construction of the swaped in the election for member of the Forty fifth Congress held on the first Tuesday in October, 1876, was valid and regular so far as the questions now under consideration affect it. It results of course from this that the attempt to hold an election on the 7th of Sovember, 1876, was entirely ningatory, and I may had that appears perfectly plain to me, that even had that appears perfectly plain to me, that even authority and migratory, the proceeding in Ningatory and migratory, the proceeding in Ningatory and migratory, the proceeding to for the manner of election which, being undistorted by Congress, is left by the Constitution explicitly with the Essential Constitution explicitly with

IS ESSENTIAL TO THE EXISTENCE

of a legal one, and no provision having been made by the convention or Legislature of the State of Colorado for the helding of a Congressional election, other than on the day and in the manner provided, and at the first election hold under its constitution, the action of such citizons as attacked, in the convention of the convention of the constitution, the action of such citizons as at the convention of the constitution, the action of such citizons as at the convention of th

A Pacific Railroad Decision.

[Ry Associated Press.] Ban Francisco, Oct. 15.—In a suit brought

AN AUSTRIAN ARCHITECT'S ASPIRA-

in Economical Project to Remove the Capttol to the Yellowstone Valley for Eleven Bundred Millons-Only Ten Per Cent Commission Wanted.

Commission Wanted.

About a week ago there arrived on the shores of the United States a gentleman who rejoices in the enphonious patronymic of Hampel.
He came directly from Vienna, his became within a delera to let the benighted denizens of this vast country profit by the experience of one who had dwell among and studied the architectural and other beauties of Austria's imperial effy. His purpose is leftly, for he proposes a removal of the National Capitol. Now, it is true, we have had a Reavis who wanted to do this identical thing, but he is a mere pigmy, in point of enterprise, when compared with our Vienna friend. Reavis was modest enough to merely propose to shift the Capliol to St. Louis, but Hampel wants to found
A SYANKING NEW CITY

1001 to St. Louis, but Hampel wants to found
A STANKING NEW CITY
located in the grand region about the Yellowstone.
As to the cost of the enterprise, too, Hampel is not mean at all. Reavis wanted for his project merely a pality sum of about \$150,000,000 or \$200,000,000, and even then could not furnish the exact figures.
Not so Brother Hampel, He has figured it down to a nicety. His new Cashala of the "home of the free and the land of the brave," which is to cover a sile of \$2,000,000 square yards in extent, which is to be fitted in the SE "Sounds." according to the relative value of the real evalue.

that Hampel

COMMUNICATED HIS PLAN
by letter to Secretary Schurz, and has since his arrival acquainted that gentleman with the minor
details of the same.
A scattleman of the intensely practical tendencies of the distinguished Secretary of the Interior
will doubtless not heritate to recommend to Congross to enter upon the project proposed by Hampel, and it is to be hoped that our National Legisnity of founding a "Mecca for the entire civilized
world."

The Obelisk to be Removed to Manhattan— Its Erection there Provided for. There seems now to be no reason to doubt that the Egyptian obelisk, the securing of which for New York has recently excited wide interest, even while many persons regarded the plan as visionary or at best uncertain, will within a reason-

ANTI-LABOR ELEMENT BUSY.

ANTI-LABOR ELEMENT BUSY.

SCRANTOS, PA., Oct. 15.—The miners' executive committee has sented a dell for a general mass meeting to morrow at Hyde Park. The intention is to be a few of the control of the

Georgia State Pair.

[By Associated Press.]
ATLANTA; Gx., Oct. 15.—The Georgia i-tate

RELIGIOUS MATTERS.

THE SEVERAL CHURCH COUNCILS

d General Convention in 1 Missionary Meetings at the Hub.

Missionary Meetings at the Hub.

[By Associated Press.]

BONTON, Oct. 15.—This was the eleventh day's session of the Episcopal Church Convention. The committee on elections reported the substitution of Dr. Joseph A. Smith in place of Dr. Wm. H. Harrison, of New Jerney, the latter having been excused from further attendance. Leave of absence was granted to other delegates, some of them from the West, who want to return home. The committee on the Book of Common Prayer, to whom was referred the consideration of shortening the form of services, reported that that question belonged

ies on the Book of Common Prayer, to whom was referred the consideration of shortcuing the form of services, reported that that question belonged properly to the committee on easons, and was to referred.

The resolution of Mr. Dix, of New York, presented Saturday, that further consideration of the question of shortcuing the forms of service in the book the Prayer-book, dre were read to the committee on the part of the house of Bishops The resolution was passed; the committee to act joint committee on the part of the house of Bishops The resolution was passed; the committee to act jointly with a committee on the part of the house of Bishops The resolution was passed; the committee to act jointly with a committee on the part of the house of Bishops The resolution was passed; the committee to act jointly with a committee on the part of the house of Bishops The resolution was passed; the committee to act jointly with a committee on the part of the house of the subject to them, they were only instructed to consider the expediency of taking action.

The committee on prayer book also reported that it was inexpedient to make any alteration in Accompanying the report was the following resolution, which was placed on the calendar:

Nor shall any part be omitted except as here-under precised; That on all Sundays, on Christmas day, Ash Wednesday, Good Friday and Accentation day, at morning and evening service, shall be in the morning shall be asid the litany as it is appointed, and commanion or anti-communion service, either consecutively with the morning prayer or in separato services in any order; on all other days a minister may, at his discretion, assist at the morning and evening services as follows. Exhortange of the consecutively with the morning prayer or in separato services in any order; on all other days a minister may, at his discretion, assist at the morning and evening services as follows. Exhortange of the made, his prayer for the President of the Princed States and for all civil authority, prayer for in Exp

DOT FORTE MINERS OF THE COAL MINERS OF THE COAL MINERS STRIKE.

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council to guard the purity of the fath and right administration of the serraments, and while it is in accordance with its confresional principles laid down in the Galesburg declaration to disapprove and republished all practices endangering the purity of the Lutheran Church, dectrine and life, sever-theless the council cannet pass judgment upon any particular case that may be brought before it un-easured the separation of the probability of the essential case that may be brought before it un-easured the special could defined in the appeal and constitution, and that as the appeal from the min-isterium of New York is not so defined, the council cannot define its judgment upon it in its present shape.

EPISCOPAL BOARD OF MISSIONS.

Nashville Blood Horse Association.

Nashville, Oct. 15.—First day's fall meeting of the Nashville Blood Horse Association:
First Bace—Young America stake, for two-year-olds, dash, three quarters of a mile; reven starters. Won easily by the favorite, Loveler: Blue Kyes second, and Melfenry third. Time, 1:17.
Second Race—Link hotel stakes, for maldens three years old; mile heats; five starters. First heat won by Kennesau; Miss Ella scond, Alice Murphy third, and Annie C. and Harry Feyton not placed. Time, 1:17.

The second heat was won by Harry others unplaced. Time, 1:24. The second heat was won by Harry others unplaced. Time, 1:24.

Third event, dash of a mile and an eighth, four starters, was won by hur R. Bell, Feland second, Charles Gorbam third. Time, 1:284.

FIGURE 11.

CITY NOTES.

The sidewalks of Thirteenth street north free in a fearful condition. They should be re-aired before cold weather sets in.

and before cold weather sets in.

—During the rath at the Capitol yester
work of the discontinuous continuous continuous
diery was been suppliedly down.

—Dr. Rankin, of the Congregational church
avec to hight for Detroit, Mich. to stend the
ouverflow of Congregationalities to be hold this
cek in that city.

revealing a response and vings in the received was cought in the set of throwing a cought in the set of throwing a union East Capitol street, near Blath. He was arrested, desirined and lectured, but upon the results of great behavior to the future was received. Such fur is dangerous. Had the rock truck the glass window lestend of the side of the car it in high three does setting lefters, the car it in high three does setting lefters, the many control of the set of the

before recarding the application of time products to the control of the product of the control of the car it subble have done serious injury, which says that while it is the daity of the guicrat control to guard the parity of the daith and right administration of the sucrauents, and while it is in accordance with its confessional principles had down in the takebury rule to allosprove and repediated and the control of the sucrauents, and while it is in accordance with its confessional principles had down in the takebury rule to allosprove and repediate all and rule is practices, invertibles to the control of the language of the council of the control of the language of the council of the control of the language of the council of the control of the language of the council of the control of the language of the council of the control of the language of the council of the language of the l

THE NATIONAL CAPITOL.

DOINGS OF THE EXECUTIVE AND

Information Gathered at the Capitol, in the

CONGRESS YESTERDAY.

CONGRESS YENTERDAY.

As usual, on the first day of the seealon, there was a great rush of visitors to the Capitol yesterday, and our business people, who have been complaining of hard times, were led the exclaim, where did all these people come from? The House, of course, was the attractive point, the Fenste being a continuous body, and offering no probability of excitement. The Republican cances met in the House Hall at 9:30 a. m., and remained in scasion till after it o'clock. To avoid exvedencepting quarted were placed at the stairways leading to the galleries, and, as the tide of humanity rolled on, the heads of the columns were balted at the fool of the stairs at either end of the building. Stopped in its progress the crowd began to park and build up on its rear until the lobby in front of the steps was filled, and gradually all the east and west halfed

turns views within their own ranks, as the discontented lequiditions in his party were with the action of the Pusidient.

United States Supreme Court — Judgment

Against One of Two Juint Contractors a

Har to Receivery Against the Other.

No. 244. Seasions vs. Johnston et al. Error

to the Circuit Court for the Pusitics of Meszachisscitt. This was the somoniecomen of the opinion
in a bankruptey case decided late last term with
leave to did the opinion thereafter. The point decided is that oron without safefaction a judgment
against one of two John thereafter. The point decided is that oron without safefaction a judgment
against one of two John thereafter. The point decided is that oron without safefaction as judgment
against one of two John thereafter. The point decided is that oron without safefaction were the
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otherwise where the contract or obligation is joint
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obliges may cleer to some the juddments or obligers
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obliges may cleer to some the categor discretions as both
and a later to the puddment or such as and
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bond is merged in the judgment, are can be mainturn a later arising a well-two in several action, as the
price of hidronium is a well-two flavious delivered the equation.

Departy Boorkeeper.

Major S. K. Donovan, who was yesterday arounded deputy dearkeeper of the Rouse was during the had Corgues a deputy segrant at the state and became in young machood a definitionable the was four in Corfede Da., educated in the state and became in young machood a definitionable the was during the state and became in young machood a definitionable the was during the SAN FRANCISCO, Oct. 15.—11 a milt brought
the Curted states to recover from the Central
Pacific Raffrond Company five per cent. of the net
samings of the road from July 15, less, in reparment of the foregramment. The horse and cattle departments
are the pacific Raffrond form July 15, less, in reparment of the foregramment. The horse and cattle departments
the departments. The horse and cattle departments
are the best ever exhibited in Geogram. The race
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Missouri. Large crowds are arriving on
eye and several companies have entered.

The Atlanta, (3a, Oct. 15.—14 the afternoon
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Court of the Cultar Court,
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Atlanta, (3a, Oct. 15.—14 the afternoon
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give much satisfaction to the Republican members as well as to his own party. The "specials" all united in congratulating (oi, Polk on the happy si-lection he had made. It may interest some of our readers to know that Major Dunovan is a batchelor.

The following telegram was received at the var office on Sunday, and submitted to the Presi-ent at Cabinet meeting yesterday: Chicago, October 18, 1677.

Gen. Townsend, Wordsignow.

Gen. Townsend, Wordsignow.

Gen. Pope sends the following:
"Rucker telegraphs from San Elizaro on the 9th:
Arrived here with a detachment inst evening. The
mob distaurant to-day. Everything is quitet. Have
had two meetings with members of the meb. They
will allow the law to take the course.

Description of the property of the property of the
morning. Constituting is optioned in caused
bere by the thilling of Cardie by Howard yesterday.

Do not anticipate any serious trouble."

A the War Department:

Gen. Thensend, Brahington:

Chicago, Oct. 13.

The following has just been received from Gen.

Pope: Three chiefs and 187 Apaches have surrendered, at Wingste, and their arms and horseprobably the whole band of Warm Spring Apaches
will soon do likewise. I have ordered them sent,

dismounted, and disarmed, to their agency at

Canada Almas for the present. I well communicate in a few days my opinion as to the best final

disposition to be uncle of them.

F. H. Surminas, Lieut, General,

Mobile and Ohio Railroad Affairs.

The Sergeant-at-Arms.
Colonel John G. Thompson, Sergeaut-attrue of the House, has authorized the statement hat he does not propose to make any changes in is office. He has a cashier, teller and messenger, and consequently is not much bothered by the

(By Arrochatel Press).

PHILADELPHIA, Oct. 15.—The executive simulated the Beard of Trade met this evening a communication was received from the Beard of

offered by Mr. John Price Wetle

PHILADELPHIA, Oct. 17.—The Eccolog Tele-

FOREIGN NEWS.

QUIET AND ORDERLY ELECTION DAY IN PRANCE.

The Progress of the European War-The Situation Around Pleyus-Cost of India's Famine-A Gale in the Gulf-Trouble in

THE FRENCH ELECTION.

THE PRENCH ELECTION.

PARIS, Oct. 15.—The elections have been tranquil. The following have been successful. Jules Grovy, Moderate Republican, ex-President of the Chamber of Depatites, vice Thers decrased, Albert Grevy, Moderate Republican, Laou Gambetta, Republican, R. Sonnet Duyerder, now ith prison for libelity, President MacMahon, Moderate Republican; Paul of Casegone, Government candidate, re-elected, Louis Biane, Radical Republican. M. Rother, Banaparist, Gyerenment, candi-

THE TAR.

[By Associated Pens.]

LONDON, Oct. 16.—Chevket Pasha telegraphed on Sunday that he had arrived at Lukovitsa from Pievna, and would continue his march to Orchavie on Monday.

OFERATIONS AT THE MOUTH OF THE DANUIE.

Vanna, Oct. 15.—The captain of a steamer which
has arrived here reports that the Russian floating
hasteries at the mouth of the Danube have been
bombarding Sulina for three days.

OSMAN PASSIA'S ARMY DESTITUTE Roumantian sesert, that describes from Plevia port Ownar Pashes a rmy to be destitute of othing and agrupation, and security provision. Men and affects are tired of fighting and suffer g, and are disposed to surrouder.

RUSSIAN ADVANCES IN ARMENIA.

The Times has a special from the Russian head-quarters at George Suden, which says the Imperial quarters at George Suden, which says the Imperial quard have all gone to Pievra, and the Czarowich dill not command them to avoid clashing with the Prince of Roumands.

A Reture subgrama from Constantinople, dated at A letter subgrama from Constantinople, dated at the Constantino of the Constantinople of the Constantino PRIPARATIONS FOR WINTER.

The correspondent of the Times at Sistora gives a favorable account of Bussian preparations for the winter campaign. Vest stores of corn, and formative been laid in at the depote along the road, bit he mud is frightful. On the road two tuples south of the Simuliza bridge it takes eight houses and wenty men pushing behind to get a light waged through. The ratiosy from Fraiestic to Simulia is The Talleys from Fraiestic to Simulia is The Talleys from Fraiestic to Simulia is the top to the same covered to the Rapia states that the porter has received intelligence that the Russian area stateked Sulina and destroyed part of the own, but were besten off. PREPARATIONS FOR WINTER.

Revolution in San Domingo.—Harricane a Curacoa.—Immense Damage by the Sea.

HAVANA, Oct. 15.—Advices from Hayti

HAVANA, Oct. 15.—Advices from Hayti to October 2 are at hand. An attempt at revolution was made at St. Marks, on september 35, but the movement was immediately suppressed. Coffee was in pleutiful supply, and quoted at from twelve to thirteen deligned, and the suppressed of the second of the seco

THE STORM IN THE OULF. THE STORM IN THE 61LF.

New Objects, Del. 12-daysin Paccal, of the schooler Jeinie, Wood, from Rustian, rejorts a heavy gold they September 20, Jacking twenty four hours, streat Jaings was done to plannations, all slong the seast of the Bay Islands. Many tree and houses were blown down, and several coarting reasely in the property of the property o

INDIA. Cost of the Famine-A Threatened Was.

Lensing, Oct. 15,-A special disputch from

Senator Murion at Rome.

(By Associated Press.)

INDIANAPOLIS, Oct. 15.—Senator Movion
that remarked from Richmond to his home in this
city to night without any unfavorable result.